

REMARKS

Claims 1-18 and 43-62 are canceled; claims 19, 36, 41 and 42 are amended; and claims 19-42 are pending in the application.

The pending claims stand rejected as being anticipated by Raaijmakers (US Patent Number 6,831,315). Applicant has amended independent claims 19, 41 and 42; and believes that such amendments place the remaining pending claims 19-42 in condition for allowance.

The amended independent claims recite capacitor constructions containing: (1) first capacitor electrodes having planar surfaces of conductively-doped silicon; (2) second capacitor electrodes over the first capacitor electrodes and comprising metals and/or metal compounds; (3) a first dielectric layer comprising aluminum oxide; and (4) a second dielectric layer comprising a metal oxide other than aluminum oxide. The independent claims further recite that the first dielectric layer is between the second dielectric layer and the conductively-doped silicon; and that the metal oxide of the second dielectric layer is in physical contact with the second capacitor electrode.

The amendments to the independent claims add the limitation that the recited first capacitor electrodes have planar surfaces of conductively-doped silicon. Such subject matter is supported by the originally-filed application at, for example, Figure 1 and paragraph 0027 which show and describe an electrode 34 having an upper planar surface of conductively-doped silicon. The amendments to the independent claims therefore do not comprise "new matter".

The amended independent claims are believed allowable over the cited reference of Raaijmakers for least reason that the reference does not disclose or suggest the recited stack of dielectric layers between the recited planar conductively-doped-silicon surface and the recited metal-containing second electrode. Rather, Raaijmakers discloses that various stacks of dielectric layers can be formed over hemispherical grain silicon (HSG) to address specific problems associated with HSG. Thus, a person of ordinary skill in the art looking toward Raaijmakers would learn from Raaijmakers that the dielectric materials disclosed therein have applications for preventing problems associated with rugged silicon surfaces, like HSG, but would find no motivation for incorporating such dielectric layers into constructions having planar silicon surfaces. Accordingly, Raaijmakers does not disclose or suggest the subject matter of the amended claims. Amended independent claims 19, 41 and 42 are therefore allowable over Raaijmakers.

Dependent claims 20-40 depend from claim 19, and are therefore allowable for least the reasons for which claim 19 is allowable, as well as for their own recited features.

Pending claims 19-42 are allowable over the cited reference of Raaijmakers for the reasons discussed above, and applicant therefore respectfully requests that the Examiner's next action be a Notice of Allowance formally allowing claims 19-42.

Respectfully submitted,

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